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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/024,179	12/21/2001	Hiroyuki Oda	SON-2301	4392
23353	7590	03/30/2005		
RADER FISHMAN & GRAUER PLLC LION BUILDING 1233 20TH STREET N.W., SUITE 501 WASHINGTON, DC 20036			EXAMINER MUNOZ, GUILLERMO	
			ART UNIT 2637	PAPER NUMBER

DATE MAILED: 03/30/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No. ☒

10/024,179

Applicant(s)

ODA ET AL.

Examiner

Guillermo Munoz

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 21 December 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-25 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-8 and 12-25 is/are rejected.
- 7) ☒ Claim(s) 9-11 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 03/03/02, 03/21/04.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

Claim Objections

Claims 1 and 9-11 are objected to because of the following informalities:

In claim 9, what element in the drawing represent “convey means”.

In claim 10, see claim 9.

Regarding claim 11, see claim 9.

In claim 1, the phrase “at least a part of a portion” in lines 9-10 could be improved by rewriting the same as follows —includes a part—; the phrase “where the electromagnetic-wave emitting means is disposed is set” in lines 10-11 could be improved by rewriting the same as follows —where the electromagnetic-wave emitting means is disposed—.

Appropriate correction is required.

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claims 12-16, 20, and 23-25 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Regarding claim 12, the claim is narrative in form and does not contain positively recited steps of a specific process. Note that method claims should set forth a series of steps in the active tense in an instruction-like manner thereby reciting an actual method. The claim only recites a single step without any additional steps delimiting how its use is actually practiced.

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Dependent claims (if applicable) should further limit base claims by reciting additional method steps in a likewise fashion. Ex parte Erlich 3UPQ2d 1011 at 1017[6].

Claims 13-15 depend upon claim 12 and thereby are rejected under 35 U.S.C. 112, second paragraph.

Regarding claim 16, see claim 12.

Regarding claim 20, the claim depends upon claim 19 and 17, wherein communication between a data storage device communicates with a information processing apparatus via electromagnetic wave. The phrase “the state indication means is a light-emitting apparatus disposed at a predetermined portion in a storage section for storing the data storage device” renders the claim indefinite. The claimed structural relationship between the data storage device and the information processing apparatus is not clearly indicated by the claimed language.

Claim 24 depends upon claim 20 and thereby is rejected under 35 U.S.C. 112, second paragraph.

Claim 23 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. The term “area” renders the claim indefinite. Examiner is unable to determine if area applies to surface area of the display or geographic location of the base station.

Regarding claim 25, see claim 12.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

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(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-8, 12-19, 21-22, and 25 are rejected under 35 U.S.C. 103(a) as being unpatentable over Dosch.

Regarding claim 1, Dosch disclose a communication card which teach almost all the claimed subject matter as follows.

Dosch teach:

“electromagnetic-wave emitting means...emitting an electromagnetic wave” (Dosch teach an antenna (elements 6 or 16 of figures 1 and 2, respectively), which are understood in the art to emit electromagnetic waves.);

“data communication means for transmitting and receiving data...through the electromagnetic-wave emitting means” (Dosch teach a transmit and receive means (element 4 in all figures) used to transmit and receive data through the antenna.);

“a display...where the electromagnetic-wave emitting means is disposed” (Dosch states the display means is integrated in a component together with the antenna. The examiner interprets the portion of the component used by the antenna to be the part of the integrated display means wherein the antenna is set.);

“control means for controlling the operations of the data communication means and the display”(Dosch does not explicitly state the control means, however, Dosch disclose and transmit and receive circuits (element 3 of figures 1 and 3) which are used to establish and maintain connections with base stations across wireless channels, note col. 2 lines 20-26. Therefore, it

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would have been obvious to one having ordinary skill in the art at the time of the invention to characterize the element 3 as including control means for the establishing of radio connections.);

“the control means switches a presentation of the display according to processing of the data communication means” (Dosch teach the display means informs the user about the current radio status, note col. 2 lines 1-10; which includes information of the quality of the communication path, note col. 3 lines 56-62.)

Regarding claim 2, Dosch illustrates the claimed subject matter in figure 1, element 6.

Regarding claim 3, Dosch disclose the communications card conforms to current DECT standards, note col.1 line 10, and the display informs the user of the current connection status, note col. 2, line 6. The initiation of a connection of DECT system is known to include polling signals. Therefore, it would have been within the level of one having ordinary skill in the art at the time of the invention to characterize the information presented to the user at the initiation of communication as switching as the connection is established and maintained.

Regarding claim 4, Dosch disclose the communications card conforms to current DECT standards, note col.1 line 10, and the display informs the user of the current connection quality, note col. 2, line 6. Therefore, it would have been within the level of one having ordinary skill in the art at the time of the invention to characterize the information presented to the user at the time of communications to include guidance on a position where the base station is held based on the quality of the connection.

Regarding claim 5, Dosch disclose the communications card conforms to current DECT standards, note col.1 line 10, and the display informs the user of the current connection status, note col. 2, line 6. Therefore, it would have been within the level of one having ordinary skill in

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the art at the time of the invention to characterize the information presented to the user at the termination of communication as switching as the connection is cancelled or interrupted.

Regarding claim 6, Dosch disclose the communications card conforms to current DECT standards, note col.1 line 10, and the display informs the user of the current connection status, note col. 2, line 6. Dosch suggest other possibilities of notifying the user of the communication status such as by using the laptop as a means for notifying the user of the connection status, note col. 3 line 66- col. 4 line 4, but does not explicitly state notifying the user by a sound emitting means. The communication connection of a laptop is known to apply sounds from sound emitting means based on the connection status. Therefore, it would have been within the level of one having ordinary skill in the art at the time of the invention to characterize the information presented to the user at the change of communication as audio information from the laptop as the connection is established and maintained.

Regarding claim 7, Dosch discloses substantially the claimed invention as set forth in the discussion above for claim 1, see Fig. 3. Dosch does not disclose expressly the base station having data stored on a card having integrated circuits. At the time of the invention, it would have been obvious to a person of ordinary skill in the art to implement the base station comprising a card having integrated circuits with data stored there on. Applicant has not disclosed that card having integrated circuits with data stored there on provides an advantage, is used for a particular purpose or solves a stated problem.

One of ordinary skill in the art, furthermore, would have expected Applicant's invention to perform equally well with the base station taught by either Dosch or with card having

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integrated circuits having data stored therein because both would have performed the same function of communicating with the communications card.

Therefore, it would have been obvious to one of ordinary skill in this art to characterize Dosch's base station as comprising card having integrated circuits to obtain the invention as specified in claim 7.

Regarding claim 8, Dosch discloses substantially the claimed invention as set forth in the discussion above for claim 1, see Fig. 3. Dosch does not disclose the information comprises the processing of electronic money recorded in the data storage device. At the time of the invention, it would have been obvious to a person of ordinary skill in the art to implement the information comprising electronic money recorded in the data storage device. Applicant has not disclosed that the information comprising the electronic money recorded in the data storage device provides an advantage, is used for a particular purpose or solves a stated problem.

One of ordinary skill in the art, furthermore, would have expected Applicant's invention to perform equally well with either the information taught by Dosch or the claimed money information because both information types provide information required by the user.

Therefore, it would have been obvious to one of ordinary skill in this art to characterize Dosch's information as comprising the information comprising the electronic money recorded in the data storage device to obtain the invention as specified in claim 8.

Regarding claim 12, see claim 1.

Regarding claim 13, see claim 3.

Regarding claim 14, see claim 4.

Regarding claim 15, see claim 5.

Regarding claim 16, see claim 6.

Regarding claim 17, see claim 3.

Regarding claim 18, see claim 5.

Regarding claim 19, Dosch further teach the claimed subject matter in col. 3 lines 48-55.

Regarding claim 20, Dosch further teach the claimed “light-emitting apparatus” in figure 1 element 17.

Regarding claim 21, see claim 6.

Regarding claim 22, see claim 6.

Regarding claim 23, Dosch further teach the claimed subject matter by the inherency of determining the quality of the communications link, note col. 3 lines 56-67.

Regarding claim 25, see claim 6.

Allowable Subject Matter

Claims 9-11, 24 is objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Claims 9-11 are considered allowable because the present invention comprises an apparatus for processing information received over a wireless communications link with a data storage device. The apparatus comprising convey means for conveying the data storage device. The closes art, Dosch (US 6,587,698 B1) shows a similar circuit including displayed states of a communication between an apparatus and a data storage device. However, Dosch fail to teach a convey means. This distinct feature has been included in dependent claims 9-11 rendering them allowable.

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The following is a statement of reasons for the indication of allowable subject matter:

Claim 24 is considered allowable because the present invention comprises an apparatus for processing information received over a wireless communications link with a data storage device. The apparatus comprising a state indication means for indicating a first, second, and third state of the communications with the data storage device. The states are visually recognized through the data storage device. The closest art, Dosch (US 6,587,698 B1) shows a similar circuit including displayed states of a communication between an apparatus and a data storage device. However, Dosch fails to teach the states are visually recognized through the data storage device. This distinct feature has been included in dependent claim 24 rendering it allowable.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

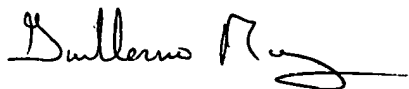
Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Guillermo Munoz whose telephone number is 571-272-3045. The examiner can normally be reached on Monday-Friday 8:30a.m-4:30p.m..


If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jay Patel can be reached on 571-272-2988. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



GM
March 16, 2005



JEAN B. CORRIELLUS
PRIMARY EXAMINER
3/19/05